

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 295CA

PROPOSED CONSTITUTIONAL AMENDMENT

FINAL READING

(SECOND)

Introduced by McGill, 26.

Read first time January 19, 2010

Committee: Urban Affairs

1 THE MEMBERS OF THE ONE HUNDRED FIRST LEGISLATURE OF
2 NEBRASKA, SECOND SESSION, RESOLVE THAT:

3 Section 1. At the primary election in May 2010 the
4 following proposed amendment to the Constitution of Nebraska shall
5 be submitted to the electors of the State of Nebraska for approval
6 or rejection:

7 To add a new section 4 to Article XIII:

8 XIII-4 Notwithstanding any other provision in this
9 Constitution, the Legislature may authorize any county, city,
10 or village to acquire, own, develop, and lease or finance real
11 and personal property, other than property used or to be used
12 for sectarian instruction or study or as a place for devotional

1 activities or religious worship, to be used, during the term of any
2 revenue bonds issued, only by nonprofit enterprises as determined
3 by law and to issue revenue bonds for the purpose of defraying
4 the cost of acquiring and developing or financing such property
5 by construction, purchase, or otherwise. Such bonds shall not
6 become general obligation bonds of the governmental subdivision
7 by which such bonds are issued, and such governmental subdivision
8 shall have no authority to impose taxes for the payment of such
9 bonds. Notwithstanding the provisions of Article VIII, section 2,
10 of this Constitution, the acquisition, ownership, development, use,
11 or financing of any real or personal property pursuant to the
12 provisions of this section shall not affect the imposition of any
13 taxes or the exemption therefrom by the Legislature pursuant to
14 this Constitution. The acquiring, owning, developing, and leasing
15 or financing of such property shall be deemed for a public purpose,
16 but the governmental subdivision shall not have the right to
17 acquire such property for the purposes specified in this section by
18 condemnation. The principal of and interest on any bonds issued may
19 be secured by a pledge of the lease and the revenue therefrom and
20 by mortgage upon such property. No such governmental subdivision
21 shall have the power to operate any such property as a business or
22 in any manner except as the lessor thereof.

23 Sec. 2. The proposed amendment shall be submitted to the
24 electors in the manner prescribed by the Constitution of Nebraska,
25 Article XVI, section 1, with the following ballot language:

LR 295CA

LR 295CA

1 A constitutional amendment to authorize the use of
2 revenue bonds to develop and lease property for use
3 by nonprofit enterprises as determined by law.
4 For
5 Against.